

Notice of Allowability

Application No.

10/755,540

Examiner

Samson B. Lemma

Applicant(s)

SANCHEZ-CIFUENTES, ALVARO

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on 10/04/2007.
2. ☒ The allowed claim(s) is/are 1, 5-6, 8-14, 17-18 and 20.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>held on 12/17/2007</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

1. This office action is in reply to amendment filed on October 04, 2007.
2. There are two independent claims namely claims 1 and 10 and both are amended. Claims 7, 15-16 and 19 are canceled.
3. Examiner and applicant's representative Cathrine K. Kinslow Reg. No. 51,886 conducted telephonic interview on December 17, 2007. Examiner and applicant's representative discussed the limitation recited in each independent claims 1 and 10 in view of the prior art on the record.
Examiner and applicant's representative agreed that incorporating dependent claims 2-4 in both independent claims 1 and 10 would overcome the ground of rejection set forth in the pervious office action and possibly make the application allowable. However, Examiner indicated to the applicant's representative that further search and consideration and approval from the supervisor is required before the case is finally allowed.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview **with** Cathrine K. Kinslow Reg. No. 51,886 on December 17, 2007.

The application has been amended as follows:

IN THE CLAIMS

1. (Currently Amended) A portable data processing system, comprising:
a chassis base unit with a hand impression disposed on a bottom surface of the chassis base unit,
wherein the chassis base unit and the hand impression are part of a monolithic structure, and wherein the bottom surface of the chassis base unit is substantially flat;
a chassis cover unit pivotably fastened to the chassis base unit; a sensor disposed in the hand impression, responsive to contact by a user, for enabling or disabling a processing unit in the data processing system;
wherein an intersection of a medial lateral axis of the chassis base unit and a medial longitudinal axis of the chassis base unit is within an orthogonal projection of the hand impression extending from a border of the hand impression;
the hand impression further includes a hand shaped imprint disposed on the bottom surface of the chassis base unit; a palm impression and five conjoined finger impressions extending from the palm impression.
2. (Canceled)
3. (Canceled)
4. (Canceled)
5. (Currently Amended) The portable data processing system of claim -4 1, wherein distal ends of the five conjoined finger impressions are more proximate to a posterior edge of the chassis base unit than the palm impression.

6. (Currently Amended) The portable data processing system of claim 4 1, wherein the palm impression is more proximate to an anterior edge of the chassis base unit than the five conjoined finger impressions

10. (Currently Amended) A portable data processing system, comprising:
a chassis base unit having a first partial hand impression disposed on a bottom surface of the chassis base unit, wherein the chassis base unit and the first partial hand impression are part of a monolithic structure, and wherein the bottom surface of the chassis base unit is substantially flat;
wherein an intersection of a medial lateral axis of the chassis base unit and a medial longitudinal axis of the chassis base unit is within an orthogonal projection of the hand impression extending from a border of the hand impression;
the hand impression further includes a hand shaped imprint disposed on the bottom surface of the chassis base unit; a palm impression and five conjoined finger impressions extending from the palm impression;
a chassis cover unit pivotably attached to the chassis base unit, wherein the chassis cover unit has a second partial hand impression disposed on a top surface of the chassis cover unit, wherein the chassis cover unit and the second partial hand impression are part of a monolithic structure, and wherein the bottom surface of the chassis base unit is substantially flat; and
a sensor disposed in at least one of the first partial hand impression or second partial hand impression, responsive to contact by a user, for enabling or disabling a processing unit in the data processing system.

Allowable Subject Matter

4. **Claims 1, 5-6, 8-14, 17-18 and 20** are allowed.

Note: As the result of examiner's amendment dependent claims 2-4 are canceled and incorporated in both independent claims 1 and 10.

5. The following is an examiner's statement of reasons for allowance:

6. **Claims 1, 5-6, 8-14, 17-18 and 20** are allowed for the following reason/s.

The reference/s, on the record, namely, Young discloses each and every limitation of both independent claims 1 and 10 before the claims are amended.

For instance, **Referring to the previous independent claim 1 Young discloses** a portable data processing system [figure 1], comprising:

A chassis base unit with a hand impression disposed on a bottom surface of the chassis base unit [See figure 1, ref. Num 2-4 and abstract] (A

handle/controlle 3 consisting of a gripping handle of suitable shape as to conform to the hand and attached to a base unit 2 of the same and containing on either side a ball in socket or "cursor ball" 5L and a pressure switch or "action switch" 6L; a two position left/right switch 8.) ; and

A chassis cover unit [figure 1, ref. Num 1] pivotably fastened to the chassis base unit [Figure 1, ref. Num 2] (As any laptop, the chassis cover unit shown on figure 1, ref. Num "1" is pivotably fastened to the chassis base unit.)

Furthermore,

Referring to the pervious independent claim 10 Young discloses a portable data processing system [figure 1], comprising:

A chassis base unit having a first partial hand impression disposed on a bottom surface of the chassis base unit; [See figure 1, ref. Num 2-4 and

abstract] *(A handle/controlle 3 consisting of a gripping handle of suitable shape as to conform to the hand and attached to a base unit 2 of the same and containing on either side a ball in socket or "cursor ball" 5L and a pressure switch or "action switch" 6L; a two position left/right switch 8.) ; and*

A chassis cover unit [figure 1, ref. Num 1] pivotably attached to the chassis base unit [Figure 1, ref. Num 2] *(As any laptop, the chassis cover unit shown on figure 1, ref. Num "1" is pivotably fastened/attached to the chassis base unit.)*

Wherein the chassis cover unit has a second partial hand impression disposed on a top surface of the chassis cover unit. [See the abstract and figure 1] *(A handle/controlle 3 consisting of a gripping handle of suitable shape as to conform to the hand and attached to a hand held computer 1/chase cover unit or a base unit 2 of the same and containing on either side a ball in socket or "cursor ball" 5L and a pressure switch or "action switch" 6L; a two position left/right switch 8)*

However, as the result of the amendment, independent claims 1 and 10 not only have been amended when submitted but also further include the limitation recited in the dependent claims 2-4. This amendment makes both claims 1 and 10 distinct from the Young's reference on the record.

None of the prior art of record taken singularly or in combination teaches or suggests a portable data processing system comprising, the functional limitation added to the independent claims 1 and 10 together with all other limitation recited in the respective independent claims **1 and 10**.

For this reason, the independent claims **1 and 10** are found to be novel and are allowed.

7. The dependent **claims** which are dependent on the above **independent claims** being further limiting to the independent claims, definite and enabled by the specification are also allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submission should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samson B Lemma whose telephone number is 571-272-3806. The examiner can normally be reached on Monday-Friday (8:00 am---4: 30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BARRON JR GILBERTO can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR

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system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SAMSON LEMMA

S.L.
12/17/2007

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